

SECOND REGULAR SESSION

# HOUSE BILL NO. 1861

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BROWN (Sponsor) AND BARNES (Co-sponsor).

6045H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 208.024, RSMo, and to enact in lieu thereof one new section relating to public assistance benefits.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 208.024, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.024, to read as follows:

208.024. 1. Eligible recipients of temporary assistance for needy families (TANF) benefits shall not use such funds in any electronic benefit transfer transaction in any liquor store, casino, gambling casino, or gaming establishment, any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place or for any item that is primarily marketed for or used by adults eighteen or older and/or is not in the best interests of the child or household. An eligible recipient of TANF assistance who makes a purchase in violation of this section shall reimburse the department of social services for such purchase.

2. An individual, store owner or proprietor of an establishment shall not accept TANF cash assistance funds held on electronic benefit transfer cards for the purchase of alcoholic beverages, lottery tickets, or tobacco products or for use in any electronic benefit transfer transaction in any liquor store, casino, gambling casino, or gaming establishment, any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place or for any item that is primarily marketed for or used by adults eighteen or older and/or is not in the best interests of the child or household. An individual, store owner or proprietor of an establishment who knowingly accepts electronic benefit transfer cards in violation of this section shall be punished by a fine of not

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 more than five hundred dollars for the first offense, a fine of not less than five hundred dollars  
19 nor more than one thousand dollars for the second offense, and a fine of not less than one  
20 thousand dollars for the third or subsequent offense.

21 **3. Any recipient of benefits who makes electronic benefit transfer transactions**  
22 **exclusively outside the state for a period of ninety days shall have his or her electronic**  
23 **benefit transfer card temporarily suspended, pending an investigation by the department**  
24 **of social services to determine if the recipient is a Missouri resident. If the department**  
25 **finds that the recipient is no longer a Missouri resident, it shall disqualify the recipient**  
26 **from all public assistance benefit programs in which the recipient is enrolled.**

27 **4. For purposes of this section:**

28 (1) The following terms shall mean:

29 (a) "Electronic benefit transfer transaction", the use of a credit or debit card service,  
30 automated teller machine, point-of-sale terminal, or access to an online system for the  
31 withdrawal of funds or the processing of a payment for merchandise or a service; and

32 (b) "Liquor store", any retail establishment which sells exclusively or primarily  
33 intoxicating liquor. Such term does not include a grocery store which sells both intoxicating  
34 liquor and groceries including staple foods as outlined under the Food and Nutrition Act of 2008;

35 (2) Casinos, gambling casinos, or gaming establishments shall not include:

36 (a) A grocery store which sells groceries including staple foods, and which also offers,  
37 or is located within the same building or complex as a casino, gambling, or gaming activities;  
38 or

39 (b) Any other establishment that offers casino, gambling, or gaming activities incidental  
40 to the principal purpose of the business.

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